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Implementation of the resolution on the Middle East adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

Background paper prepared by the United Nations Secretariat

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I. Introduction

1. At its third session, from 28 April to 9 May 2014, the Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons decided to invite the Secretary-General to prepare documentation taking into account the decisions and the resolution adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the Final Document of the 2000 Review Conference and the conclusions and recommendations for follow-on actions adopted at the 2010 Review Conference.

2. The Preparatory Committee stated that the following general approach should apply to the proposed paper, similar to the approach applied for the preparation of background documentation for the previous review conferences: the paper must present balanced, objective and factual descriptions of the relevant developments, be as short as possible and be easily readable. It should reflect agreements reached, actual unilateral and multilateral measures taken, understandings adopted, formal proposals for agreements made and important political developments directly related to any of the foregoing. The paper should focus on the period since the 2010 Review Conference, including implementation of the decisions and the resolution adopted by the 1995 Review and Extension Conference, the Final Document of the 2000 Review Conference and the conclusions and recommendations for follow-on actions of the 2010 Review Conference.

3. The present paper is submitted pursuant to that request. Attention is also drawn to the background paper prepared by the International Atomic Energy Agency (IAEA) regarding its activities relevant to the implementation of the Treaty.[1]

II. Resolution on the Middle East adopted by the 1995 Review and Extension Conference

4. On 11 May 1995, the Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons adopted the resolution on the Middle East, sponsored by the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America as depositaries of the Treaty on the Non-Proliferation of Nuclear Weapons. In the resolution the Conference, inter alia, endorsed the aims and objectives of the peace process and recognized that efforts in that regard, as well as other efforts, contribute to a Middle East free of nuclear weapons as well as other weapons of mass destruction. Furthermore, it called on States in the region not parties to the Treaty to accede to the Treaty and accept full-scope IAEA safeguards and urged nuclear- and non-nuclear-weapon States to fully cooperate with regional efforts to create a zone in the Middle East free of nuclear and all other weapons of mass destruction. The text of the resolution is contained in the annex to the present paper.

[1] NPT/CONF.2015/1.

III. Conclusions and recommendations for follow-on actions adopted at the 2010 Review Conference

5. The 2010 Review Conference reaffirmed the commitment to universality of the Treaty, and States parties expressed their concern regarding the lack of progress in the achievement of universality and in the implementation of the resolution on the Middle East adopted at the 1995 Review and Extension Conference, which a majority of States parties believed seriously undermined the Treaty and represented a threat to regional and international peace and security. The 2010 Review Conference reaffirmed the importance of the 1995 resolution on the Middle East, recalled the affirmation of its goals and objectives by the 2000 Review Conference and stressed that the resolution remains valid until the goals and objectives are achieved. The 2010 Review Conference stated that the 1995 resolution was an essential element of the outcome of the 1995 Conference and of the basis on which the Treaty was indefinitely extended without a vote in 1995. States parties renewed their resolve to undertake, individually and collectively, all necessary measures aimed at the prompt implementation of the resolution. The 2010 Review Conference reaffirmed its endorsement of the aims and objectives of the Middle East peace process and recognized that efforts in that regard, as well as other efforts, contribute to, inter alia, a Middle East zone free of nuclear weapons as well as other weapons of mass destruction. States parties regretted that little progress had been achieved towards the implementation of the 1995 resolution on the Middle East by the time of the 2010 Review Conference, recalled the reaffirmation by the 2000 Review Conference of the importance of accession by Israel to the Treaty and the placement of all its nuclear facilities under comprehensive IAEA safeguards, reaffirmed the urgency and importance of achieving universality of the Treaty and called on all States in the Middle East that had not yet done so to accede to the Treaty as non-nuclear-weapon States so as to achieve its universality at an early date. The 2010 Review Conference stressed the necessity of strict adherence by all States parties to their obligations and commitments under the Treaty, urged all States in the region to take relevant steps and confidence-building measures to contribute to the realization of the objectives of the 1995 resolution on the Middle East and called upon all States to refrain from undertaking any measures that precluded the achievement of that objective.

6. The 2010 Review Conference emphasized the importance of a process leading to the full implementation of the 1995 resolution on the Middle East and endorsed the following practical steps to that end:

(a) The convening of a conference in 2012 by the Secretary-General and the co-sponsors of the 1995 resolution, in consultation with the States of the region, to be attended by all States of the Middle East, on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction, on the basis of arrangements freely arrived at by the States of the region, and with the full support and engagement of the nuclear-weapon States. The 2012 conference should take as its terms of reference the 1995 resolution;

(b) The appointment by the Secretary-General and the co-sponsors of the 1995 resolution, in consultation with the States of the region, of a facilitator with a mandate to support implementation of the 1995 resolution by conducting consultations with the States of the region in that regard and undertaking preparations for the convening of the 2012 conference. The facilitator would also

assist in the implementation of follow-on steps agreed by the participating regional States at the 2012 conference. The facilitator would report to the 2015 Review Conference and its Preparatory Committee meetings;

(c) The designation by the Secretary-General of the United Nations and the co-sponsors of the 1995 Resolution, in consultation with the States of the region, of a host Government for the 2012 conference;

(d) Additional steps aimed at supporting the implementation of the 1995 resolution, including that the IAEA, the Organization for the Prohibition of Chemical Weapons (OPCW) and other relevant international organizations be requested to prepare background documentation for the 2012 conference regarding modalities for a zone free of nuclear weapons and other weapons of mass destruction and their delivery systems, taking into account work previously undertaken and experience gained;

(e) The consideration of all offers aimed at supporting the implementation of the 1995 resolution, including the offer of the European Union to host a follow-on seminar to that organized in June 2008.

7. The 2010 Review Conference emphasized the requirement of maintaining parallel progress in substance and timing in the process leading to achieving the total and complete elimination of all weapons of mass destruction in the region, nuclear, chemical and biological, and reaffirmed that all States parties to the Treaty, particularly the nuclear-weapon States and the States in the region, should continue to report on steps taken to implement the 1995 resolution, through the Secretariat, to the President of the 2015 Review Conference, as well as to the Chair of the Preparatory Committee meetings to be held in advance of that Conference, and further recognized the important role played by civil society in contributing to the implementation of the 1995 resolution and encouraged all efforts in that regard.

IV. Review of the implementation of the resolution on the Middle East, taking into account the conclusions and recommendations for follow-on actions of the 2010 Review Conference

A. Efforts contributing to the achievement of the aims and objectives of the Middle East peace process

8. In paragraph 1 of its resolution on the Middle East, the Review and Extension Conference endorsed the aims and objectives of the Middle East peace process and recognized that efforts in that regard, as well as other efforts, contribute to, inter alia, a Middle East zone free of nuclear weapons as well as other weapons of mass destruction. That was reaffirmed in the Final Document of the 2010 Review Conference.[2]

9. Observations on the current state of the Israeli-Palestinian conflict and on international efforts to move the peace process forward with a view to achieving a peaceful settlement can be found in the reports of the Secretary-General on the

[2] NPT/CONF.2010/50 (Vol. I).

peaceful settlement of the question of Palestine, contained in documents A/65/380-S/2010/484 and Add.1, which covers the period from September 2009 to August 2010; A/66/367-S/2011/585, which covers the period from September 2010 to August 2011; A/67/364-S/2012/701, which covers the period from September 2011 to August 2012; A/68/363-S/2013/524, which covers the period from September 2012 to August 2013; and A/69/371-S/2014/650, which covers the period from September 2013 to August 2014.

B. Acceptance of full-scope International Atomic Energy Agency safeguards on all nuclear activities

10. As stipulated in paragraphs 3 and 4 of the resolution on the Middle East and in the decision on principles and objectives for nuclear non-proliferation and disarmament,[3] all States of the Middle East that have not yet done so should place their nuclear facilities under comprehensive IAEA safeguards.

11. The General Assembly, in numerous resolutions on the subject of the establishment of a nuclear-weapon-free zone in the Middle East[4] as well as on the subject of the risk of nuclear proliferation in the Middle East,[5] has called upon all States in the Middle East that have not yet done so to place all their nuclear activities under full-scope IAEA safeguards.

12. At the 2010 Review Conference, all States not parties to the Treaty were called upon to accede to it without further delay and without any conditions, and to bring into force the required comprehensive safeguards agreements and additional protocols consistent with the model additional protocol.[6] Those States that operate unsafeguarded nuclear facilities were also called upon to reverse clearly and urgently any policies to pursue any nuclear weapon development or deployment and to refrain from any action that could undermine regional and international peace and security and the efforts of the international community towards nuclear disarmament and the prevention of proliferation of nuclear weapons.

13. The General Conference of the IAEA, in a series of resolutions on the application of IAEA safeguards in the Middle East,[7] has reaffirmed the urgent need for all States in the Middle East forthwith to accept the application of full-scope Agency safeguards to all their nuclear activities as an important confidence-building measure among all States in the region and as a step in enhancing peace and security in the context of the establishment of a nuclear-weapon-free zone. The General Conference has also called upon all parties directly concerned to consider seriously taking the practical and appropriate steps required for the implementation of the proposal to establish a mutually and effectively verifiable nuclear-weapon-free zone in the region. The General Conference has also invited the States concerned to adhere to international non-proliferation regimes, including the Treaty on the Non-Proliferation of Nuclear Weapons, as a means of complementing participation in a zone free of all weapons of mass destruction in the Middle East and of strengthening peace and security in the region. Details of the steps taken towards

[3] NPT/CONF.1995/32 (Part I), annex, decision 2.

[4] See, for example, resolution 3263 (XXIX).

[5] See, for example, resolution 69/78.

[6] IAEA document INFCIRC/540 (Corrected) and Corr.1.

[7] See, for example, IAEA resolutions GC(XXXV)/RES/571 and GC(58)/RES/16.

the implementation of the General Conference resolutions are given in the IAEA background paper on the Agency's activities relevant to the implementation of the Treaty.[7]

14. All States of the Middle East region, as defined by IAEA,[8] except Djibouti, Israel and Somalia have brought into force comprehensive safeguards agreements with the Agency. Djibouti signed its comprehensive safeguards agreement on 27 May 2010. Safeguards have been implemented at facilities in Israel pursuant to safeguards agreements based on INFCIRC/66/Rev.2.[9] Somalia has yet to take action in formalizing a comprehensive safeguards agreement with the IAEA.[10]

15. Additional protocols are in force for Bahrain, the Comoros, Iraq, Jordan, Kuwait, Libya, Mauritania, Morocco and the United Arab Emirates. Djibouti, the Islamic Republic of Iran and Tunisia have signed but not yet brought into force additional protocols, and an additional protocol has been approved for Algeria but not yet signed.[11]

16. Of the States with comprehensive safeguards agreements in force, 11 States (Bahrain, the Comoros, Kuwait, Jordan, Lebanon, Mauritania, Oman, Qatar, Saudi Arabia, the Sudan and the United Arab Emirates) implement the Small Quantities Protocol with the Agency. Of these, Kuwait, Lebanon, Mauritania and Qatar have adopted the 2005 revised standardized text and modified criteria, with the adoptions by Kuwait and Mauritania in 2013. One State, Djibouti, that does not have a comprehensive safeguards agreement in force, signed the revised Small Quantities Protocol on 27 May 2010.

17. Between 2010 and 2014, at the request of a number of States, the IAEA General Conference considered an agenda item entitled "Israeli nuclear capabilities". In 2010, 2013 and 2014, a number of States introduced a draft resolution under that agenda item, though in each instance the General Conference voted not to accept the resolution.

18. In its resolution 1929 (2010), the Security Council recalled once again that resolution GOV/2006/14 of the IAEA Board of Governors states that a solution to the Iranian nuclear issue would contribute to global non-proliferation efforts and to realizing the objective of a Middle East free of weapons of mass destruction, including their means of delivery. In November 2013, China, France, Germany, the Russian Federation, the United Kingdom and the United States (the E3+3) agreed on the Joint Plan of Action with the Islamic Republic of Iran with the aim of achieving a mutually-agreed long-term comprehensive solution that would ensure its nuclear programme would be exclusively peaceful. IAEA was asked to undertake monitoring and verification of nuclear-related measures to be implemented by the Islamic Republic of Iran.[12] In November 2013, the Islamic Republic of Iran and IAEA signed a Joint Statement on a Framework for Cooperation, which established

[8] IAEA considers the Middle East to include Algeria, Bahrain, the Comoros, Djibouti, Egypt, Iran (Islamic Republic of), Iraq, Israel, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Somalia, the Sudan, the Syrian Arab Republic, Tunisia, the United Arab Emirates and Yemen (IAEA document GC(XXXIII)/887, para. 3).

[9] See "Safeguards Statement for 2013", IAEA Board of Governors, 2014.

[10] See IAEA document GOV/2014/45-GC(58)/15.

[11] See IAEA document "Conclusion of Additional Protocols: Status as of 31 December 2014".

[12] See IAEA document INFCIRC/855.

a step-by-step process to resolve outstanding issues, including those pertaining to a possible military dimension to the country's nuclear activities.[13]

C. Realization of universal adherence to the Treaty

19. Under the resolution on the Middle East and the decision on principles and objectives for nuclear non-proliferation and disarmament, all States not yet parties to the Non-Proliferation Treaty are called upon to accede to the Treaty at the earliest date, particularly those States that operate unsafeguarded nuclear facilities. Every effort should be made by all States parties to achieve that objective.[14] All States of the region of the Middle East, with the exception of Israel, are States parties to the Non-Proliferation Treaty.[15]

D. Efforts contributing to a Middle East zone free of nuclear weapons as well as other weapons of mass destruction, nuclear, chemical and biological, and their delivery systems, taking into account the conclusions and recommendations for follow-on actions of the 2010 Review Conference

20. The idea of establishing a nuclear-weapon-free zone in the Middle East dates back to the 1960s and was first formally raised by the Islamic Republic of Iran and Egypt in 1974. Since then, all the States of the region have expressed support for such a zone, including in the United Nations, where a resolution on the subject has been adopted annually by consensus in the General Assembly since 1980. Since 1991, the IAEA General Conference has also expressed support for this objective in an annual resolution on the application of IAEA safeguards in the Middle East, which had been adopted without a vote until 2007. Despite the widespread support for the concept, little progress had been achieved towards the establishment and implementation of such a zone until the 2010 Review Conference endorsed a number of practical steps leading to the full implementation of the 1995 resolution.

21. General Assembly resolution 68/27 on the establishment of a nuclear-weapon-free zone in the region of the Middle East requested the Secretary-General to continue to pursue consultations with the States of the region and other concerned States, in accordance with paragraph 7 of its resolution 46/30 of 1991 and taking into account the evolving situation in the region, and to seek from those States their views on the measures outlined in chapters III and IV of the study annexed to the report of the Secretary-General of 10 October 1990[16] and to submit a report on the implementation of the resolution to its sixty-ninth session.

22. Discussions within and outside the United Nations have revealed differences of view regarding how best to advance the concept of a Middle East nuclear-

[13] See IAEA document INFCIRC/856.

[14] NPT/CONF.1995/32 (Part I), annex, decision 2, para. 1.

[15] The Secretariat received a note verbale on 18 February 2015 informing it "that on 10 February 2015 the Russian Federation as a depositary State of the Treaty on the Non-Proliferation of Nuclear Weapons has received an original of the verbal note from the State of Palestine on its joining the NPT … and proceeds from the understanding that the NPT enters into force for the State of Palestine starting on the above-mentioned date".

[16] A/45/435.

weapon-free zone and on preferred approaches to its establishment. There are different emphases on the sequencing and timing of possible steps; the relative importance of dealing with nuclear, chemical and biological weapons; whether the global treaties are sufficient in scope and application; security and confidence-building and other measures; and verification standards. All countries in the region nevertheless are on record as supporting a zone that includes all weapons of mass destruction, nuclear, biological and chemical, as well as their delivery systems.[17]

23. The 2010 Review Conference endorsed a set of practical steps, mandating the Secretary-General and the co-sponsors of the 1995 resolution (the depositaries of the Treaty: the Russian Federation, the United Kingdom and the United States), in consultation with the States of the region, to convene a conference in 2012, to be attended by all States of the Middle East, on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction, on the basis of arrangements freely arrived at by the States of the region, and with the full support and engagement of the nuclear-weapon States, with the terms of reference for the conference to be taken from the 1995 resolution.

24. The 2010 Review Conference requested that a facilitator be appointed by the Secretary-General and the co-sponsors of the 1995 Resolution, in consultation with the States of the region, with a mandate to support implementation of the 1995 resolution by conducting consultations with the States of the region in that regard and undertaking preparations for the convening of the 2012 Conference. The facilitator would assist in the implementation of follow-on steps agreed by the participating regional States at the 2012 conference and report to the 2015 Review Conference and its Preparatory Committee meetings. The Secretary-General and the co-sponsors of the 1995 resolution, in consultation with the States of the region, were responsible for selecting a host Government for the 2012 conference.

25. Pursuant to the mandate agreed by the 2010 Review Conference, the Secretary-General initiated consultations in the second half of 2010 with the co-sponsors of the 1995 resolution on the appointment of a facilitator and designation of a host Government for the conference on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction. In early 2011, the conveners extended their consultations to the States of the region and other interested parties to seek a broad range of views on how to move forward. On 14 October 2011, after wide consultations, the Secretary-General appointed Ambassador Jaakko Laajava, Under-Secretary of State for Foreign Affairs of Finland, as facilitator and designated Finland as host Government for the conference.

26. Upon his appointment, the facilitator established a dedicated office to support his efforts and initiated regular contact with the conveners and the States of the region. Between October 2011 and May 2012, the facilitator carried out more than one hundred consultations in regional and other capitals, including those of all States of the region, the conveners and the other nuclear weapon States, as well as in major international centres including New York, Geneva, The Hague and Vienna. The consultations addressed a wide range of issues related to the establishment of the zone as well as the preparations for the conference, including its agenda,

[17] Ibid., and A/64/124 (Part I)/Add.1.

modalities and rules of procedure, with a view to holding the conference in 2012 as expressed in the mandate.

27. On 8 May 2012, the facilitator provided his first report to the Preparatory Committee for the 2015 Review Conference.[18] He indicated that while substantial progress had been made towards the implementation of the 1995 resolution and in undertaking preparations for the 2012 conference, it was clear that further and intensified efforts were needed by the facilitator, the conveners and the States of the region.

28. Immediately following the first session of the Preparatory Committee, the facilitator and conveners resumed their engagement with the States of the region, and the facilitator's office presented the States of the region with non-papers on the different substantive and organizational aspects of the conference, with the view of holding the conference no later than December 2012, in order to assist in identifying arrangements to be freely arrived at by the States of the region. On the basis of inputs received, the facilitator circulated updated papers in October 2012.

29. Despite those efforts, the conference was unable to be convened by the end of 2012, as not all States of the region were prepared to attend. On 23 and 24 November 2012, the conveners and facilitator issued separate statements regarding the postponement of the conference. Others, including the Secretary-General, the High Representative of the European Union for Foreign Affairs and Security Policy and the League of Arab States Council also issued statements.[19] In response, the facilitator announced his intention to continue efforts to prepare for the convening at the earliest possible time of a successful conference to be attended by all the States of the region and, towards that end, proposed to hold multilateral consultations as soon as possible.

30. In early 2013, the facilitator and conveners continued to engage in substantial outreach with the States of the region in order to establish a framework for multilateral consultations to finalize the modalities, agenda and rules of procedure for the conference. On 29 April 2013, the facilitator reported on those activities to the second session of the Preparatory Committee of the 2015 Review Conference,[20] which included more than 300 rounds of discussions with the States of the region, the conveners, the nuclear-weapon States, other States, relevant international organizations, civil society, academia and think-tanks and other relevant actors. The facilitator stressed that all the States of the Middle East and the conveners had expressed their willingness to continue the preparations for the conference and that he would intensify efforts to consult with all partners concerned. He reported on his attempts to hold multilateral consultations with the purpose of securing arrangements for the conference to be freely arrived at by the States of the region and thus take the process forward. He proposed to bring together all relevant parties

[18] NPT/CONF.2015/PC.I/11.

[19] See "League of Arab States Council Statement on Postponement of the ME WMD FZ Conference", Dan Joyner, Arms Control Law, 5 March 2013, available from http://armscontrollaw.com/2013/03/05/league-of-arab-states-council-statement-on-postponement-of-the-me-wmd-fz-conference; and "Statement by Catherine Ashton, High Representative of the European Union for Foreign Affairs and Security Policy and Vice-President of the Commission", 24 November 2012, available from http://www.eu-un.europa.eu/articles/en/article_12893_en.htm.

[20] NPT/CONF.2015/PC.II/10.

for a constructive dialogue as an essential step for progress before, during and after the conference in Helsinki.

31. Between October 2013 and February 2014, the facilitator, together with the conveners of the conference and with the participation of States of the region, held three informal meetings in Glion, Switzerland, in order to facilitate agreement among the States of the region on the arrangements for the conference. The meetings provided an opportunity for an exchange of views on the conference and preparations for it, including discussions on the agenda, modalities and rules of procedure.

32. On 1 May 2014, the facilitator reported to the third session of the Preparatory Committee of the 2015 Review Conference on the status of preparations for the conference.[21] While confirming that the parties remained ready to engage and make progress through an open and constructive approach, he noted that divergent views persisted regarding important aspects of the conference. The facilitator announced that there would be further informal meetings in order to arrive at an early agreement on the arrangements for the conference.

33. Between May and June 2014, the facilitator, together with the conveners of the conference and with the participation of States of the region, held two additional informal meetings in Geneva. The meetings allowed States of the region to continue their constructive engagement and serious consideration of the arrangements and outcome of the conference, including on the basis of non-papers and proposals circulated by the facilitator and conveners as well as by States of the region.

34. Despite the extended consultations and other activities, there continued to be differences among the parties on several important aspects of the conference, including on its agenda, and, by the end of 2014, agreement on the modalities for the conference had not been reached. Efforts to resume consultations were also affected by developments in the region, included increased tension and active hostilities. In 2015, the facilitator and conveners have continued their engagement with the States of the region with a view to finalizing the arrangements for the conference, including its agenda, at the earliest possible date in 2015.

Elimination of chemical weapons in the Syrian Arab Republic

35. In response to various reports by Member States pertaining to the alleged use of chemical weapons in the Syrian Arab Republic, on 20 March 2013 the Secretary-General decided to establish the United Nations Mission to Investigate Allegations of the Use of Chemical Weapons in the Syrian Arab Republic (United Nations Mission) based on his authority under General Assembly resolution 42/37 C and Security Council resolution 620 (1988). The Secretary-General transmitted the report of the United Nations Mission of 16 September 2013 on the alleged use of chemical weapons in the Ghouta area of Damascus,[22] in which it concluded that chemical weapons were used on a relatively large scale, resulting in numerous casualties, particularly among civilians and including many children. The final report of the United Nations Mission was transmitted on 13 December 2013.[23]

[21] NPT/CONF.2015/PC.III/18.
[22] A/67/997-S/2013/553.
[23] A/68/663-S/2013/735.

36. The Russian Federation and the United States agreed on a framework for the elimination of chemical weapons in the Syrian Arab Republic, and on 14 September 2013 the Syrian Arab Republic deposited its instrument of accession to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, making it the 190th State party to the Convention. On 27 September 2013, the Executive Council of OPCW established special procedures for the expeditious destruction of the chemical weapons programme of the Syrian Arab Republic and stringent verification thereof.[24] On the same day, the Security Council adopted resolution 2118 (2013), which endorsed and made mandatory the special procedures adopted by the OPCW Executive Council and enabled the establishment of the OPCW-United Nations Joint Mission for the Elimination of the Chemical Weapons Programme of the Syrian Arab Republic (the Joint Mission).[25] Pursuant to the timelines established by the OPCW Executive Council in October 2013, the removal of declared chemical weapons from the Syrian Arab Republic was completed on 23 June 2014. The Joint Mission formally closed on 30 September 2014. In unanimously adopting resolution 2118 (2013), the Security Council determined that the use of chemical weapons anywhere constituted a threat to international peace and security. At its 74th session, held from 8 to 11 October 2013, the OPCW Executive Council noted the accession of the Syrian Arab Republic and urgently called upon all States not party to the Convention to join without delay or precondition. The accession by the Syrian Arab Republic has resulted in there being only two States in the Middle East region that have yet to bring the Chemical Weapons Convention into force.

Proposal by the Minister for Foreign Affairs of Egypt

37. During his statement to the General Assembly at its sixty-eighth session, on 28 September 2013, Nabil Fahmy, Minister for Foreign Affairs of Egypt, announced a new proposal with three elements, including: (a) for all States in the Middle East, as well as the five permanent members of the Security Council, to deposit letters with the Secretary-General confirming their support for declaring the Middle East a region free from weapons of mass destruction, including nuclear, chemical and biological weapons; (b) for all States in the region that have not signed or ratified any of the international instruments dealing with weapons of mass destruction to deposit letters with the Security Council, before the end of 2013, affirming their intention to join those treaties, in order to enable the Secretary-General to arrange for simultaneous accession by those States; (c) for the facilitator and conveners to further intensify their efforts to convene the conference.[26]

38. Pursuant to the first element of the proposal, the Secretary-General received such letters from 21 States from the region[27] as well as from one observer State.[28] Copies of all the letters in their original languages were made available on the website of the Office for Disarmament Affairs.[29]

[24] See OPCW document EC-M-33/DEC.1.

[25] The Secretary-General and the OPCW Director General established the Joint Mission on 16 October 2013. See S/2013/629.

[26] Text of statement available from http://gadebate.un.org/sites/default/files/gastatements/68/EG_en.pdf.

[27] See A/68/781.

[28] Ibid.

[29] Available from http://www.un.org/disarmament/WMD/menbcletters.

International Atomic Energy Agency Forum on Experience of Possible Relevance to the Creation of a Nuclear-Weapon-Free Zone in the Middle East

39. The IAEA Forum on Experience of Possible Relevance to the Creation of a Nuclear-Weapon-Free Zone in the Middle East took place from 21 to 22 November 2011 in Vienna.[30] The Forum, chaired by Jan Petersen, Resident Representative of Norway to IAEA, was held in response to a decision of the General Conference of IAEA,[31] which requested the Director General, inter alia, to develop an agenda and modalities which would help to ensure a successful forum on the relevance of the experience of existing nuclear-weapon-free zones, including confidence-building and verification measures, for establishing nuclear-weapon-free zone in the region of the Middle East. The Forum considered the experience of Africa, Asia, Europe and Latin America and the Caribbean in creating regional security regimes and achieving disarmament through establishing such zones. The main purposes of the Forum were to (a) study the lessons of other regions regarding the regional setting and context that had prevailed there before they began considering a nuclear-weapon-free zone; (b) review the existing multilaterally agreed principles for establishing such zones in populated areas of the world; (c) review the theory and practice of establishing the five existing nuclear-weapon-free zones; (d) discuss with representatives from the five existing zones their experience in promoting, negotiating and practically implementing negotiated arrangements for the zones; and (e) discuss the region of the Middle East in that context. The potential relevance of such experience to the case and region of the Middle East was also addressed.

European Union Follow-On Conferences

40. The European Union has actively supported efforts to the establishment of a zone free of weapons of mass destruction and their means of delivery in the Middle East in support of the implementation of the European Union Strategy against Proliferation of Weapons of Mass Destruction. Their efforts include Council decisions in 2010[32] and in 2012[33] that supported a number of conferences and papers that built on the European Union seminar held in 2008 entitled "Middle East Security, WMD Non-proliferation and Disarmament". The first European Union Non-Proliferation Consortium Seminar on the Middle East was held in July 2011[34] and the second Consortium Seminar, intended to promote confidence-building and in support of a process aimed at establishing a zone free of weapons of mass destruction and means of delivery in the Middle East, took place in November 2012.[35] The Consortium also organized a capacity-building workshop for mid-level diplomats in support of the conference in Helsinki in June 2014.[36] The Consortium has also included the 1995 resolution and the conference in the Non-Proliferation and Disarmament Conferences held in 2012, 2013 and 2014.[37]

[30] See https://www.iaea.org/newscenter/focus/nuclear-weapons-free-zones.
[31] See GC(44)/DEC/12 and GC(44)/OR.10, paras. 19-20.
[32] European Council decision 2010/799/CFSP, 13 December 2010.
[33] European Council decision 2012/422/CFSP, 23 July 2012.
[34] http://www.nonproliferation.eu/middleEastSeminar2012/firstSeminar.
[35] http://www.nonproliferation.eu/middleEastSeminar2012/secondSeminar.
[36] http://www.nonproliferation.eu/middleEastSeminar2012/workshop.
[37] http://www.nonproliferation.eu/activities/activities.php.

Role played by civil society in contributing to the implementation of the 1995 resolution

41. Civil society has continued to play a significant role in hosting Track II diplomacy meetings and producing papers, reports and books. Non-governmental organizations in the region and in other parts of the world have assisted in building expertise, knowledge and capacity on the topic of the implementation of the resolution on the Middle East adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

Annex

Resolution on the Middle East

The Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,

Reaffirming the purpose and provisions of the Treaty on the Non-Proliferation of Nuclear Weapons,

Recognizing that, pursuant to article VII of the Treaty, the establishment of nuclear-weapon-free zones contributes to strengthening the international non-proliferation regime,

Recalling that the Security Council, in its statement of 31 January 1992,[a] affirmed that the proliferation of nuclear and all other weapons of mass destruction constituted a threat to international peace and security,

Recalling also General Assembly resolutions adopted by consensus supporting the establishment of a nuclear-weapon-free zone in the Middle East, the latest of which is resolution 49/71 of 15 December 1994,

Recalling further the relevant resolutions adopted by the General Conference of the International Atomic Energy Agency concerning the application of Agency safeguards in the Middle East, the latest of which is GC(XXXVIII)/RES/21 of 23 September 1994, and noting the danger of nuclear proliferation, especially in areas of tension,

Bearing in mind Security Council resolution 687 (1991) and in particular paragraph 14 thereof,

Noting Security Council resolution 984 (1995) and paragraph 8 of the decision on principles and objectives for nuclear non-proliferation and disarmament adopted by the Conference on 11 May 1995,

Bearing in mind the other decisions adopted by the Conference on 11 May 1995,

1. *Endorses* the aims and objectives of the Middle East peace process and recognizes that efforts in this regard, as well as other efforts, contribute to, inter alia, a Middle East zone free of nuclear weapons as well as other weapons of mass destruction;

2. *Notes with satisfaction* that, in its report (NPT/CONF.1995/MC.III/1), Main Committee III of the Conference recommended that the Conference "call on those remaining States not parties to the Treaty to accede to it, thereby accepting an international legally binding commitment not to acquire nuclear weapons or nuclear explosive devices and to accept International Atomic Energy Agency safeguards on all their nuclear activities";

3. *Notes with concern* the continued existence in the Middle East of unsafeguarded nuclear facilities, and reaffirms in this connection the recommendation contained in section VI, paragraph 3, of the report of Main Committee III urging those non-parties to the Treaty on the Non-Proliferation of

[a] S/23500.

Nuclear Weapons that operate unsafeguarded nuclear facilities to accept full-scope International Atomic Energy Agency safeguards;

4. *Reaffirms* the importance of the early realization of universal adherence to the Treaty, and calls upon all States of the Middle East that have not yet done so, without exception, to accede to the Treaty as soon as possible and to place their nuclear facilities under full-scope International Atomic Energy Agency safeguards;

5. *Calls upon* all States in the Middle East to take practical steps in appropriate forums aimed at making progress towards, inter alia, the establishment of an effectively verifiable Middle East zone free of weapons of mass destruction, nuclear, chemical and biological, and their delivery systems, and to refrain from taking any measures that preclude the achievement of this objective;

6. *Calls upon* all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and in particular the nuclear-weapon States, to extend their cooperation and to exert their utmost efforts with a view to ensuring the early establishment by regional parties of a Middle East zone free of nuclear and all other weapons of mass destruction and their delivery systems.